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7 *Leadership Council, Action on Smoking and Health,*  
8 *National Medical Association, American Medical*  
9 *Association, Lisa Mitchell, Daryl Thomas, Lila June,*  
10 *Lashelle Ullie, and Ben Smith*

11 UNITED STATES DISTRICT COURT FOR THE  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 OAKLAND DIVISION

14 AFRICAN AMERICAN TOBACCO  
15 CONTROL LEADERSHIP COUNCIL,  
16 ACTION ON SMOKING AND HEALTH,  
17 NATIONAL MEDICAL ASSOCIATION,  
18 AMERICAN MEDICAL ASSOCIATION,  
19 LISA MITCHELL, DARYL THOMAS, LILA  
20 JUNE, LASHELLE ULLIE, and BEN SMITH,

21 Plaintiffs,

22 v.

23 U.S. DEPARTMENT OF HEALTH AND  
24 HUMAN SERVICES; ROBERT F. KENNEDY  
25 JR., in his official capacity as Secretary of the U.S.  
26 Department of Health and Human Services; U.S.  
27 FOOD AND DRUG ADMINISTRATION;  
28 MARTIN A. MAKARY, in his official capacity as  
Commissioner of the U.S. Food and Drug  
Administration; CENTER FOR TOBACCO  
PRODUCTS; and BRET KOPLOW in his  
official capacity as the Center for Tobacco  
Products, Director,

Defendants.

Case No. 4:24-cv-1992-HSG

**ORDER GRANTING STIPULATED  
REQUEST TO EXTEND DEADLINES**

(Administrative Procedure Act Case)


1 The parties have stipulated to the following changes to the Court's February 19, 2025  
2 Order (ECF No. 86):

- 3 • Plaintiffs may file a Third Amended Complaint on or before November 3, 2025.
- 4 • Defendants may file a motion to dismiss the Third Amended Complaint on or  
5 before December 15, 2025.
- 6 • If Plaintiffs do not file a Third Amended Complaint by November 3, 2025, the  
7 Defendants may refile their previously withdrawn motion to dismiss (ECF No. 56).

8 All other deadlines in the February 19, 2025 Order shall remain unchanged.

9  
10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11  
12  
13 Dated: 9/16/2025

  
HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE